

### **REMARKS**

Claims 9-15 remain pending in this application. Claim 15 has been amended to obviate the Examiner's objection to the phrase "acoustically displayed via an output device" in claim 15. Claim 15 now recites "acoustically manifested via an output device."

Claims 15, 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,285,862 ("Ruhl") in view of U.S. Patent No. 5,895,903 ("Abe"). Claims 11-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ruhl in view of Abe and U.S. Patent No. 5,182,553 ("Kung"). The Examiner indicated that the previously-noted allowability of claim 15 has been withdrawn in view of Ruhl. Applicant respectfully submits that Ruhl is not an effective prior art reference against the present application (as explained below in detail), and the rejections should be withdrawn for at least this reason.

Ruhl was issued on September 4, 2001, after the effective U.S. filing date of the present application, December 9, 1998, which means Ruhl does not qualify as a prior art reference against the present application under § 102(a) or § 102(b). Ruhl also does not qualify as a prior art reference against the present application under the pre-AIPA § 102(e) because Ruhl was filed in the U.S. on April 23, 1998, which is after the earliest effective filing date of the present application for the purpose of pre-AIPA § 102(e), December 9, 1997 (the foreign priority date for the present application).

Since Ruhl is not an effective prior art reference against the present application, and since the Examiner's rejections of claims 9-15 are at least partially premised on Ruhl, Applicant respectfully submits that the Examiner's rejections of claims 9-15 are invalid.

**CONCLUSION**

In light of the foregoing, Applicant respectfully submits that all pending claims 9-15 are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,  
KENYON & KENYON

Dated: December 8, 2003

By:

*for Rich Mayer (by)*  
Richard L. Mayer  
Reg. No. 22, 490

One Broadway  
New York, NY 10004  
(212) 425-7200

*re. no. 36,197*

**CUSTOMER NO. 26646**